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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)
2003P00938WOUS

Application Number	Filed
10/562,105	December 22, 2005
First Named Inventor	
Helmut JERG et al.	
Art Unit	**Examiner**
3743	Stephen M. Gravini

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

☐ Applicant/Inventor

☐ Assignee of record of the entire interest. See 37 C.F.R. § 3.71. Statement under 37 C.F.R. § 3.73(b) is enclosed. (Form PTO/SB/96)

☐ Attorney or agent of record _____ (Reg. No.)

☒ Attorney or agent acting under 37CFR 1.34.
Registration number if acting under 37 C.F.R. § 1,34 39,715

Signature

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Requester's telephone number

April 8, 2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*

☒ *Total of 1 form/s are submitted.

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ATTORNEY DOCKET NO.: 2003P00938WOUS

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Helmut Jerg et al
Application Number:	10/562,105
Filing Date:	12/22/2005
Group Art Unit:	3743
Examiner:	Stephen Michael Gravini
Title:	METHOD FOR OPERATING A DEVICE WITH AT LEAST ONE PARTIAL PROGRAMME STEP OF DRYING

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STATEMENT OF ARGUMENTS IN SUPPORT OF PRE-APPEAL BRIEF REQUEST FOR REVIEW

Claims 9-19 are pending. Claims 9-12 and 16-18 were rejected under 35 U.S.C. §102(b) over Anderson et al. (U.S. Patent No. 6,434,857). The Final Rejection includes the errors that follow.

Independent claim 9 is directed to a method for operating a device, comprising subjecting items retained in the device to a drying step after the items have undergone a treatment step as a result of which moisture remains on the items. The step of drying includes drawing at least one of air from a treatment chamber and ambient air through a sorption column and thereafter guiding the air that has passed through the sorption column into a treatment chamber. The sorption column contains reversibly dehydratable material that operates to withdraw moisture from air during the passage of the air through the sorption column. The method further includes effecting desorption of the reversibly

dehydratable material in the sorption column via drawing at least one of air from the treatment chamber and ambient air through a sorption column by means of an air accelerator means, subjecting air passing through the sorption column to heating, and guiding the air that has been heated as it passed through the sorption column into the treatment chamber, whereupon the air guided into the treatment chamber heats at least one of a treatment liquid to be applied to the items retained in the device and the items themselves.

Anderson et al. does not teach or suggest this subject matter. For example, Anderson et al. does not teach or suggest the step of effecting desorption of the reversibly dehydratable material in the sorption column via drawing at least one of air from the treatment chamber and ambient air, as claimed. Anderson et al. discloses a combined closed-circuit washer and drier including a desiccant recharging system 13. A desiccant 21 is placed within a housing 19 having an entrance 23 and exit 25. The desiccant recharging system includes a primary retort tube 15a, a retort tube 15b used for recharging the desiccant in the washing mode, and a retort tube 15c which is used in the drying mode. A valve 17 is used to close off retort tube 15c when in the washing mode, i.e., when the desiccant is recharging. As described in Anderson et al., e.g., see the Abstract, the valve directs the flow of air primarily through the desiccant system in a closed-loop during the wash cycle. As such, in the washing mode (Figure 1), desiccant follows path A-B-C (and D-E) in which case retort tube 15c is closed off, and in the drying mode (shown in Figures 2 and 3) valve 17 moves to block retort pipe 15b, such that the air flow is along path U-V-W-X-Y-Z.

Thus, desorption of the reversibly dehydratable material in the sorption column is not accomplished by drawing at least one of air from the treatment chamber and ambient air through the sorption column, as claimed. As shown in Figure 1 (which is the only drawing showing the apparatus in the desorption mode), flow from the treatment chamber is cut off since valve 17 closes off retort tube 15c. Moreover, the air path A-B-C does not involve ambient air, as set forth in independent claim 9, as it is important for Anderson et al. to maintain a closed loop.

Further, Anderson et al. does not teach the step of effecting the desorption (which occurs in the washing mode) including subjecting the air passing through the sorption column to heating, and guiding the air that has been heated as it is passed through the sorption column into the treatment chamber, wherein the air guided into the treatment chamber heats at least one of the treatment liquid to be applied to the items retained in the device and the items themselves, as recited in claim 9. This method results in enhanced drying of the items.

By contrast, Anderson et al. teaches that as water is released (desorbed from) from the desiccant into the hot air, it is in the form of steam which expands through air duct 65 and into the tub 37. Because the temperature of the tub is maintained at a temperature which is much lower than steam by the wash and rinse water, the steam is condensed into the liquid state and collects in the wash and rinse water. The solution in Anderson et al. simply deals with the collection of the waste water collected during the desorption stage. It is not applied in any meaningful way for the heating of treatment liquid or the items themselves, and especially does not teach the use of such heated liquids/items to enhance the drying of these items.

In addition, Anderson et al. does not teach the subject matter of the dependent claims. In particular, the Office Action simply recites the language of claims 10-12 and 16-18 while providing various spot cites within the text of Anderson et al. However, the spot cites do not support the Examiner's contentions.

For example, in regard to claim 10 (defining the desorption step), the Examiner cites column 8, lines 14-37, which describes the use the desiccant to remove water from the flow of air (adsorption), while claim 10 deals with effecting desorption of the reversibly dehydratable material.

In regard to dependent claim 18, Anderson et al. teaches that air passing through the desiccant 19 is subjected to heating by heating coils 31, and thus, this air heated by the heating coils in Anderson et al. is not drawn "through the sorption column from the respective source of air substantially without imparting heat to the air from after the air exits the respective source of air up to its entry in the sorption column", as recited in

claim 18. The Examiner has simply cited Figure 3 for this subject matter, which is not sufficient under 37 C.F.R. §1.104(c)(2) to support the Examiner's rejection of the claim.

* * * * *

It is noted that claims 13-15 were rejected under 35 U.S.C. §103(a) over Anderson et al. in view of Tuck et al. (U.S. Patent No. 3,034,221). Claims 13-15 are patentable by virtue of their dependency on claim 9. In addition, Tuck et al. does not make up for the deficiencies of Anderson et al. noted above.

* * * * *

As a result of the above, there is simply no support for the rejection of Applicants' claims. Applicants respectfully request that the Pre-Appeal Panel find that the application is allowed on the existing claims.

Respectfully submitted,

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April 9, 2009

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